

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

MICHAEL ROBERTS,

Petitioner,

v.

No. 1:16-cv-01156-JDB-egb
1:12-cr-10061-JDB-1

UNITED STATES OF AMERICA,

Respondent.

ORDER GRANTING MOTION TO VACATE, SET ASIDE, AND CORRECT SENTENCE
UNDER 28 U.S.C. § 2255

A motion to vacate, set aside, and correct sentence pursuant to 28 U.S.C. § 2255 was filed by the Petitioner, Michael Roberts, on June 16, 2016 (the “Petition”). (Case No. 1:16-cv-01156-JDB-egb, Docket Entry (“D.E.”) 1.) On July 7, 2017, he moved for resentencing based on the Sixth Circuit Court of Appeals’ June 27, 2017, ruling in *United States v. Stitt*, 860 F.3d 854 (6th Cir. 2017). (*Id.*, D.E. 8.) The Government responded on August 23, 2017, conceding that, in light of the decision, the relief sought by Roberts was warranted. (*Id.*, D.E. 13.) For good cause shown, the Petition is GRANTED. Further, the Clerk is DIRECTED to enter an order of production and set a resentencing hearing in Case No. 1:12-cr-10061-JDB-1.

IT IS SO ORDERED this 14th day of September 2017.

s/ J. DANIEL BREEN
UNITED STATES DISTRICT JUDGE